

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 2, 1998**

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|----------------|---|----------------|
| <b>E020334</b> | <b>People v. Aprie Miranda</b><br>Judgment affirmed in part; reversed in part with directions.<br>Richli, Acting P. J.<br>We concur: Ward, J., Gaut, J.                                 | <b>Opinion</b> |
| <b>E018772</b> | <b>Banning Bench Community etc. v. City of Banning et al.;<br/>Loma Linda University</b><br>Judgment reversed with directions.<br>Ramirez, P.J.<br>We concur: Hollenhorst, J., Gaut, J. | <b>Opinion</b> |
| <b>E019180</b> | <b>People v. Michael D. Johnson</b><br>Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., Ward, J.   | <b>Opinion</b> |

**Court of Appeal, Fourth Appellate District  
Division 2, San Bernardino, March 3, 1998.**

Court convened at 9:30 a.m.

Panel 1

Present:

Ramirez, P.J.

Hollenhorst, J.

Richli, J.

Kelly Conn, Deputy Clerk

- E018221      People v. William T. Myers  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E018298      People v. Tina F. Brown  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E019490      People v. Salvador M. Martinez  
Merits. Cause called and Patrick Hennessey, Esq., argued for appellant; Michael Murphy, Deputy Attorney General, argued for respondent. Cause submitted.
- E019765      People v. Kathey L. James  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E019051      People v. David C. Gonzalez  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E019267      People v. Gordon A. Melvin  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E019170      People v. Jason Fuentes et al.  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT  
DIVISION TWO, SAN BERNARDINO, March 3, 1998, cont.

E019796      People v. Jose G. Torres  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E020053      People v. Mark E. Hendrickson  
Merits. Cause called and Stephen S. Buckley, Esq., argued for appellant; Robert B. Shaw, Deputy Attorney General, argued for respondent. Cause submitted.

E020642      People v. James R. Hodges  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E018616      Richard Zapulla v. USPS Security, Inc. et al.  
Merits. Cause called and Louis Fazzi, Esq., argued for appellant; Harry C. Carpelan, Esq., argued for respondent, U.S.P.S. Security, Inc. et al.; Ronald F. Sceglia, Esq., for respondent C. B. Commercial Real Estate et al.; Cause submitted.

Court adjourned.

Court reconvened at 1:30 p.m.

Panel 2

Present:

Ramirez, P.J.

McKinster, J.

Ward, J.

Ann Dee Coleman, Deputy Clerk

E018320      People v. Steven C. Whitney  
Merits. Cause called and Patricia Andreoni, Esq., argued for appellant; Pamela K. Klahn, Deputy Attorney General, argued for respondent. Cause submitted.

E017857      People v. Raymond Rico  
Merits. Cause called and Rodger P. Curnow, Esq., was not present; Vincent Rabago, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT  
DIVISION TWO, SAN BERNARDINO, March 3, 1998, cont.

Court reconvened.

Panel 2a

Present:

McKinster, Acting P.J.

Ward, J.

Gaut, J.

Ann Dee Coleman, Deputy Clerk

- E018143      People v. Jimmy Gonzales  
Merits. Cause called and Michael B. Dashjian, Esq., argued for appellant; Matthew C. Mulford, Deputy Attorney General, argued for respondent. Cause submitted.
- E019050      People v. Ralph M. Martinez  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E019335      People v. David R. Campbell et al.  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E019192      People v. Joseph W. Allen  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E019288      People v. Robert R. Gaitan  
Merits. Cause called and Robert E. Boyce, Esq., argued for appellant; Robert Shaw, argued for respondent. Cause submitted.
- E019418      People v. Branson S. Ward  
Merits. Cause called and Diane Nichols, Esq., argued for appellant; Lilia Garcia, argued for respondent. Cause submitted.
- E019485      People v. Leonard J. Rangel  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT  
DIVISION TWO, SAN BERNARDINO, March 3, 1998, cont.

- E021147      People v. Keith R. Gonzalez  
Merits. Cause called and Christine Vento, Esq., argued for appellant; Pamela K. Klahn, Esq., argued for respondents. Cause submitted.
- E018730      People v. Gregory J. Bartole  
Merits. Cause called and Alan Rubin, Esq., argued for appellant; Robert B. Shaw, Esq., argued for respondents. Cause submitted.
- E018885      People v. J'Mel A. Carter  
Merits. Cause called and Robert E. Boyce, Esq., argued for appellants; Lora F. Martin, Esq., argued for respondent. Cause submitted.
- E019438      People v. Richard W. Butts  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E019775      People v. Steven A. Duran  
Merits. Cause called and Ronald T. Golan, Esq., argued for appellant; Melissa Mandel, argued for respondents. Cause submitted.

Court recessed.

**E019438      People v. Richard W. Butts      Opinion**  
Judgment affirmed.  
Ward, J.  
I concur: McKinster, Acting P.J.  
I concur by opinion: Gaut, J.

**E020616      In re A'Twaan W., a Person Coming Under the Juvenile Court Law;  
People v. A'Twaan W.      Opinion**  
Judgment affirmed with directions.  
Richli, J.  
We concur: McKinster, Acting P.J., Gaut, J.

**E019871      People v. Ernest Anthony Graves      Opinion**  
Judgment affirmed.  
Richli, J.  
We concur: Ramirez, P.J., Ward, J.

**E016657      W. Thomas Berry v. Harry C. Crowell      Opinion**  
Judgment reversed.  
Ward, J.  
We concur: McKinster, Acting P.J., Richli, J.

The above case, E016657, is to be deleted from the minutes of February 27, 1998.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT  
DIVISION TWO, SAN BERNARDINO, March 4, 1998

Court reconvened at 9:30 a.m..

Panel 3  
Present:  
Ramirez, P.J.  
McKinster, J.  
Gaut, J.  
Madeline Mozee, Deputy Clerk

E018566 Christina Reed v. City of Upland et al.  
Merits. Cause called and Stuart Esner, Esq., argued for appellants; James R. Dunn, argued for respondents. Cause submitted.

Court recessed.

Court reconvened.

Panel 3a  
Present:  
Ramirez, P.J.  
Hollenhorst, J.  
McKinster, J.  
Madeline Mozee, Deputy Clerk

E017946 Johann Lippert v. Douglas K. Cancienne et al.  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E018875 Eva Kimberling et al., v. Fedders Corp.  
Merits. Cause called and Andrew Bryman, Esq., argued for appellant; Lily Chow, Esq., argued for respondent. Cause submitted.

E018899 Raymon Saldivar v. Trans-Pacific Consultants, Inc.  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.

E018322 Timbisha Shoshone Tribe v. County of Inyo et al.  
Merits. Cause called and Luke W. Cole, Esq., argued for appellants; Antonio Rossman, Esq., argued for respondent. Cause submitted.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT  
DIVISION TWO, SAN BERNARDINO, March 4, 1998, cont.

- E019394 David Kuzmich et al., v. Mexican Political Association et al.  
Merits. Cause called and Mark Goldowitz, Esq., argued for appellants Martinez et al; Elizabeth L. Kolar, Esq., argued for appellant Partida; Jason Walsh, Esq., argued for appellants Mexican Political Association et al; Spencer E. Covert, Esq., argued for respondent Kuzmich; Paul Harris, Esq., argued for respondents Axup et al. Cause submitted.
- E020285 Cheryl Bryant et al., v. Pacwest Murrieta Ltd. et al.  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E017826 Marlene Stoddard v. George Stoddard  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- Court recessed.
- Court reconvened at 1:30 p.m.
- Panel 4  
Present:  
Richli, Acting P.J.  
Ward, J.  
Gaut, J.  
Madeline Mozee, Deputy Clerk
- E020324 In re Alicia H. et al., Persons Coming Under the Juvenile  
Court Law; Dept. of Public Social Services v. Sharlyne H.  
Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E018131 Donald Doshier v. San Jacinto U.S.D. et al.  
Merits. Cause called and Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E019625 John Johnston v. Richard Newsome  
Merits. Cause called and Jeffrey Thaler, Esq., argued for appellant; Susan Ghormley, Esq., argued for respondent. Cause submitted.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT  
DIVISION TWO, SAN BERNARDINO, March 4, 1998, cont.

- E019153      Jessica Bryant et al., v. Nick DePrisco  
Merits. Cause called and Lucien A. Van Hulle, Esq., argued for appellant; Paul W. Shapiro, Esq., specially appeared and argued for respondent. Cause submitted.
- E018559      Loretta Giberson v. Arrowhead Country Club  
Merits. Cause called and Counsel having previously waived oral argument in the above entitled cause in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and cause submitted.
- E018770      John A. Griffin et al., v. Irontree Home Services et al  
Merits. Cause called and Wendy A. Scholl, Esq., argued for appellant; Paul A. Lenz, Esq., argued for respondent. Cause submitted.
- E018774      Kip Incorporated v. Forecast Mortgage Corporation et al  
Merits. Cause called and Troy L. Tate, Esq., argued for appellant; Nicholas A. Boylan, Esq., argued for respondent. Cause submitted.
- Court recessed.
- Court reconvened.
- Panel 4a  
Present:  
McKinster, Acting P.J.  
Richli, J.  
Gaut, J.  
Madeline Mozee, Deputy Clerk
- E021220      In re Adam T. et al., Persons Coming Under the Juvenile  
Court Law; Dept. of Public Social Services v. Zanone T.  
Merits. Cause called and Konrad S. Lee, Esq., argued for appellant; Mary E. O'Hara, Esq., argued for respondent; William B. Walls, Esq., argued for minors. Cause submitted.
- E016374      Jack Chesbro, Jr. v. Bermuda Dunes Country Club  
Merits. Cause called and William L. Conti, Esq., argued for appellant Chesbro; David P. Bergland, Esq., argued for appellant Bermuda Dunes Country Club. Cause submitted.
- Court adjourned.



COURT OF APPEAL, FOURTH APPELLATE DISTRICT  
DIVISION TWO, SAN BERNARDINO, March 4, 1998, cont.

- E020324            DPSS v. Sharlyne H.            Opinion**  
Judgment affirmed.  
Ward, J.  
We concur: Richli, Acting P.J., Gaut, J.
- E019760            People v. David C.            Opinion**  
Judgment affirmed.  
Richli, J.  
We concur: Hollenhorst, Acting P.J., Gaut, J.
- E019995            People v. Thomas O. Brown            Opinion**  
Judgment affirmed.  
Richli, J.  
We concur: McKinster, Acting P.J., Gaut, J.
- E020639            DPSS v. Anna K.            Opinion**  
Judgment affirmed in part, reversed in part.  
McKinster, Acting P.J.  
We concur: Richli, J., Gaut, J.
- E018559            Loretta Giberson v. Arrowhead Country Club            Opinion**  
Judgment affirmed.  
Ward, J.  
We concur: Richli, Acting P.J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 5, 1998**

Court convened at 9:30 a.m.

Panel 5  
Present:  
Ramirez, P.J.  
McKinster, J.  
Not Present:  
Hollenhorst, J.  
Madeline Mozee, Deputy Clerk

Presiding Justice Manuel A. Ramirez announced that in the absence of objection, it would be deemed stipulated that Justice Thomas E. Hollenhorst might participate in the decision of this case. There being no objections made by counsel, it was deemed so stipulated and so ordered.

E019635      People v. Manta Management Corp.  
Merits. Cause called and Huston T. Carlyle, Esq., argued for appellant; Roger Diamond, Esq., argued for respondent. Cause submitted.

Court Adjourned.

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 6, 1998**

<b>E020154</b>	<b>People v. Timothy W. Gabster</b> Judgment affirmed. Richli, J. We concur: McKinster, Acting P.J., Gaut, J.	<b>Opinion</b>
<b>E019335*</b> E019469*	<b>People v. David R. Campbell et al.</b> People v. Suzette Michelle Logan Judgment Modified and affirmed with directions. Gaut, J. We concur: McKinster, Acting P.J., Ward, J. *Consolidated.	<b>Opinion</b>

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 9, 1998**

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| <b>E018459</b> | <b>People v. Eddy O. Lopez</b><br>Judgment affirmed.<br>Gaut, J.<br>We concur: Hollenhorst, Acting P.J., McKinster, J.  | <b>Opinion</b> |
| <b>E019050</b> | <b>People v. Ralph M. Martinez</b><br>Judgment affirmed.<br>Gaut, J.<br>We concur: McKinster, Acting P.J., Ward, J.   | <b>Opinion</b> |
| <b>E018131</b> | <b>Donald Doshier v. San Jacinto U.S.D. et al.</b><br>Judgment affirmed.<br>Richli, J.<br>We concur: Ward, J., Gaut, J.   | <b>Opinion</b> |
| <b>E017942</b> | <b>Yao Cheng et al. v. Palmieri, Tyler, Weiner, Wilhelm &amp; Waldron</b><br>Judgment affirmed.<br>McDaniel, J.*<br>We concur: McKinster, Acting P.J., Richli, J.<br>* Retired Associate Justice of the Court of Appeal, Fourth District, sitting under assignment by the Chief Justice pursuant to article VI, section 6 of the California Constitution. | <b>Opinion</b> |
| <b>E019775</b> | <b>People v. Steven A. Duran</b><br>Judgment affirmed.<br>Ward, J.<br>We concur: McKinster, Acting P.J., Gaut, J.   | <b>Opinion</b> |
| <b>E019485</b> | <b>People v. Leonard J. Rangel</b><br>Judgment affirmed.<br>McKinster, Acting P.J.<br>We concur: Ward, J., Gaut, J.   | <b>Opinion</b> |
| <b>E018320</b> | <b>People v. Steven C. Whitney</b><br>Judgment affirmed.<br>Ramirez, P.J.<br>We concur: McKinster, J., Ward, J.   | <b>Opinion</b> |
| <b>E019051</b> | <b>People v. David C. Gonzalez, Jr.</b><br>Judgment affirmed as modified.<br>Hollenhorst, J.<br>We concur: Ramirez, P.J., Richli, J.  | <b>Opinion</b> |

**Minutes Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**March 10, 1998**

<b>E019267</b>	<b>People v. Gordon A. Melvin</b> Judgment affirmed. Hollenhorst, J. We concur: Ramirez, P.J., Richli, J.	<b>Opinion</b>
<b>E019153</b>	<b>Jessica Bryant, a minor et al. v. Nick DePrisco</b> Judgment affirmed. Gaut, J. We concur: Richli, Acting P.J., Ward, J.	<b>Opinion</b>
<b>E019953</b>	<b>People v. Arthur J. Sherman</b> Judgment affirmed. Ward, J. We concur: Ramirez, P.J., Richli, J.	<b>Opinion</b>
<b>E018899</b>	<b>Raymon Saldivar v. Trans-Pacific Consultants, Inc.</b> Judgment reversed and remanded. Hollenhorst, J. We concur: Ramirez, P.J., McKinster, J.	<b>Opinion</b>
<b>E019288</b>	<b>People v. Robert R. Gaitan</b> Judgment affirmed. McKinster, Acting P.J. We concur: Ward, J., Gaut, J.	<b>Opinion</b>
<b>E020419</b>	<b>People v. Eddie Manor</b> Judgment affirmed. McKinster, J. We concur: Ramirez, P.J., Ward, J.	<b>Opinion</b>
<b>E019192</b>	<b>People v. Joseph W. Allen</b> Judgment affirmed. McKinster, Acting P.J. We concur: Ward, J., Gaut, J.	<b>Opinion</b>
<b>E019418</b>	<b>People v. Branson S. Ward</b> Judgment reversed in part and affirmed in part. McKinster, Acting P.J. We concur: Ward, J., Gaut, J. CERTIFIED FOR PARTIAL PUBLICATION	<b>Opinion</b>

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 10, 1998**

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| <b>E018885</b>          | <b>People v. J'Mel A. Carter</b>                     | <b>Opinion</b> |
|                         | Judgment affirmed.                                   |                |
|                         | Ward, J.   |                |
|                         | We concur: McKinster, Acting P.J., Gaut, J.          |                |
| <b>E021147</b>          | <b>People v. Keith R. Gonzalez</b>                   | <b>Opinion</b> |
|                         | Judgment affirmed with directions.                   |                |
|                         | McKinster, Acting P.J.                               |                |
|                         | We concur: Ward, J., Gaut, J.                        |                |
| <b>E017360</b>          | <b>Ali Ghomeshi v. Fred Hussain</b>                  | <b>Opinion</b> |
|                         | Judgment affirmed.                                   |                |
|                         | McKinster, J.  |                |
|                         | We concur: Ramirez, P.J., Gaut, J.                   |                |
| <b>E018566</b>          | <b>Christina Reed v. City of Upland et al.</b>       | <b>Opinion</b> |
|                         | Reversed with directions.                            |                |
|                         | Gaut, J.   |                |
|                         | We concur: Ramirez, P.J., McKinster, J.              |                |
| <b>E017946/E018920*</b> | <b>Johann Lippert v. Douglas K. Cancienne et al.</b> | <b>Opinion</b> |
|                         | Judgment affirmed.                                   |                |
|                         | Hollenhorst, J.                                      |                |
|                         | We concur: Ramirez, P.J., McKinster, J.              |                |
|                         | *Consolidated  |                |

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 11, 1998**

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|----------------|---|----------------|
| <b>E021220</b> | <b>In re Adam T., et al., Persons Coming Under the Juvenile Court Law<br/>DPSS v. Zanone T.</b>                                 | <b>Opinion</b> |
|                | Judgment affirmed.<br>McKinster, Acting P.J.<br>We concur: Richli, J., Gaut, J.   |                |
| <b>E019556</b> | <b>People v. Jovaughn W. Allen</b>  | <b>Opinion</b> |
|                | Judgment affirmed in part, modified in part, and reversed in part.<br>Richli, J.<br>We concur: McKinster, Acting P.J., Gaut, J. |                |
| <b>E020642</b> | <b>People v. James R. Hodges</b>  | <b>Opinion</b> |
|                | Judgment affirmed in part, reversed in part with directions.<br>Ramirez, P.J.<br>We concur: Hollenhorst, J., Richli, J.         |                |
| <b>E020053</b> | <b>People v. Mark E. Hendrickson</b>  | <b>Opinion</b> |
|                | Judgment affirmed.<br>Ramirez, P.J.<br>We concur: Hollenhorst, Acting P.J., Richli, J.  |                |
| <b>E020285</b> | <b>Cheryl Bryant et al. v. Pacwest Murrieta Ltd. et al.</b>   | <b>Opinion</b> |
|                | Order affirmed.<br>McKinster, J.<br>We concur: Ramirez, P.J., Hollenhorst, J.   |                |

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 12, 1998**

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|----------------|---|----------------|
| <b>E017826</b> | <b>Marlene Stoddard v. George Stoddard</b><br>Judgment reversed.<br>Ramirez, P.J.<br>We concur: Hollenhorst, J., McKinster, J.  | <b>Opinion</b> |
| <b>E019490</b> | <b>People v. Salvador M. Martinez</b><br>Judgment affirmed with modifications.<br>Richli, J.<br>We concur: Ramirez, P.J., Hollenhorst, J.   | <b>Opinion</b> |
| <b>E019170</b> | <b>People v. Jason Fuentes, et al.</b><br>Judgment affirmed with directions.<br>Ramirez, P.J.<br>We concur: Hollenhorst, J., Richli, J.   | <b>Opinion</b> |
| <b>E018221</b> | <b>People v. William T. Myers</b><br>Judgment affirmed in part, reversed in part and remanded with directions.<br>Richli, J.<br>We concur: Ramirez, P.J., Hollenhorst, J.                                   | <b>Opinion</b> |
| <b>E019796</b> | <b>People v. Jose G. Torres</b><br>Judgment affirmed.<br>Ramirez, P.J.<br>We concur: Hollenhorst, J., Richli, J.  | <b>Opinion</b> |
| <b>E018588</b> | <b>People v. Pamot J. Thongvilay et al.</b><br>Judgment affirmed and remanded with directions.<br>Hollenhorst, Acting P.J.<br>I concur: Richli, J.<br>I dissent: McKinster, J.<br>CERTIFIED FOR PUBLICATION | <b>Opinion</b> |
| <b>E018298</b> | <b>People v. Tina F. Brown</b><br>Judgment affirmed with directions.<br>Richli, J.<br>We concur: Ramirez, P.J., Hollenhorst, J.   | <b>Opinion</b> |
| <b>E020009</b> | <b>People v. Arnet M. Evans</b><br>Judgment affirmed.<br>Hollenhorst, Acting P.J.<br>We concur: McKinster, J., Gaut, J.   | <b>Opinion</b> |



**Court of Appeal  
Fourth District, Division 2  
San Bernardino California**

**Minutes  
March 12, 1998**

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|----------------|---|----------------|
| <b>E020268</b> | <b>People v. Apolinar Quintero</b>  | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: McKinster, Acting P.J., Gaut, J.   |                |
| <b>E018616</b> | <b>Richard Zappulla v. Usps Security, Inc. et al.</b>   | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., Hollenhorst, J.   |                |
| <b>E020204</b> | <b>In re of Jovan W., a Person Coming Under the Juvenile Court Law.<br/>People v. Jovan W.</b>  | <b>Opinion</b> |
|                | Judgment affirmed with directions.<br>Richli, J.<br>We concur: Ramirez, P.J., Ward, J.  |                |
| <b>E019715</b> | <b>Edmund Quintilliani et al. v. John D. Mannerino</b>  | <b>Opinion</b> |
|                | Judgment affirmed in part, reversed in part.<br>Hollenhorst, J.<br>We concur: McKinster, Acting P.J., Richli, J.<br>CERTIFIED FOR PUBLICATION |                |
| <b>E019765</b> | <b>People v. Kathey L. James</b>  | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., Hollenhorst, J.<br>CERTIFIED FOR PARTIAL PUBLICATION                            |                |

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 13, 1998**

**E018396            People v. Andrew J. Granados**

**Opinion**

Judgment affirmed.  
Hollenhorst, Acting P.J.  
We concur: McKinster, J., Richli, J.

**E018875            Eva Kimberling et al. v. Fedders Corp.**

**Opinion**

Judgment Reversed.  
Hollenhorst, J.  
We concur: Ramirez, P.J., McKinster, J.

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 16, 1998**

E018625      People v. Dwayne Bernard Razon  
Modification of opinion and order denying petition for rehearing.  
No change in judgment.  
Ramirez, P.J.  
I concur: Ward, J.

**E021407      In Re John B., a Person Coming Under the Juvenile Court Law;  
People v. John B.**  
Judgment affirmed.  
Richli, J.  
We concur: Ramirez, P.J., Ward, J.

**Opinion**

**E020074      People v. Marcus D. Williams**  
Judgment affirmed in part with directions and reversed in part.  
Ward, J.  
We concur: Ramirez, P.J., Hollenhorst, J.

**Opinion**

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 17, 1998**

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| <b>E018774</b>  | <b>Kip Incorporated v. Forecast Mortgage Corporation</b><br>Judgment, reversed in part, affirmed in part<br>Ward, J.<br>We concur: Richli, Acting P. J., Gaut, J.   | <b>Opinion</b> |
| <b>E016374</b>  | <b>Jack Chesbro, Jr. v. Bermuda Dunes Country Club et al.</b><br>Judgment affirmed.<br>Gaut, J.<br>We concur: McKinster, Acting P.J., Richli, J.  | <b>Opinion</b> |
| <b>E018322*</b> | <b>Timbisha Shoshone Tribe of Death Valley et al. v. County of Inyo et al.;<br/>CR Briggs Corporation et al.</b><br>Appeal dismissed.   | <b>Opinion</b> |
| <b>E019234*</b> | <b>Timbisha Shoshone Tribe of Death Valley et al. v. County of Inyo et al.;<br/>CR Briggs Corporation et al.</b><br>Judgment affirmed.  |                |
| <b>E019851*</b> | <b>Timbisha Shoshone Tribe of Death Valley et al. v. County of Inyo et al.;<br/>CR Briggs Corporation et al.</b><br>Judgment affirmed as modified.<br>McKinster, J.<br>We concur: Ramirez, P.J., Hollenhorst, J.<br>*CONSOLIDATED |                |
| <b>E019683</b>  | <b>People v. Kenneth Joseph Pohl</b><br>Judgment affirmed.<br>Ramirez, P.J.<br>We concur: Hollenhorst, J., Ward, J.   | <b>Opinion</b> |
| <b>E020591</b>  | <b>People v. Kate Elizabeth Mann</b><br>Judgment affirmed.<br>Hollenhorst, J.<br>We concur: Ramirez, P.J., Ward, J.   | <b>Opinion</b> |
| <b>E021193*</b> | <b>DPSS v. Domingo L.</b><br>Judgment affirmed.   | <b>Opinion</b> |
| <b>E021867*</b> | <b>In re Angela L., a Minor, on Habeas Corpus</b><br>Petition denied.<br>Gaut, J.<br>We concur: Hollenhorst, Acting P.J., Richli, J.<br>*CONSOLIDATED   |                |

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 17, 1998**

E021656        In re Jerome N. a Person Coming Under the Juvenile Court Law  
                  Riverside County Department of Public Social Services v. Renee N.  
Judgment affirmed.  
Ramirez, P.J.,  
We concur: Richli, J., Ward, J.

Opinion

**E018281        Robert Rodriguez et al. v. Scott Showler et al.**  
Judgment Reversed.  
Ramirez, P.J.  
We concur: Hollenhorst, Acting P.J., Gaut, J.

**Opinion**

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 18, 1998**

<b>E020420</b>	<b>People v. Jonathan L. Witherspoon</b> Judgment affirmed. Ramirez, P.J. We concur: McKinster, J., Ward, J.	<b>Opinion</b>
<b>E017857</b>	<b>People v. Raymond Rico</b> Judgment affirmed in part, reversed in part. Ward, J. I concur: McKinster, J. I dissent: Ramirez, P.J.	<b>Opinion</b>
<b>E020662</b>	<b>People v. Gary James Williams</b> Judgment affirmed. Ramirez, P.J. We concur: McKinster, J., Ward, J.	<b>Opinion</b>
<b>E020762</b>	<b>People v. Sandra Kay Clark</b> Judgment affirmed. Ramirez, P.J. We concur: McKinster, J., Ward, J.	<b>Opinion</b>
<b>E020717</b>	<b>People v. Bernard Miller</b> Judgment affirmed. Ramirez, P.J. We concur: Richli, J., Ward, J.	<b>Opinion</b>
<b>E019936</b>	<b>People v. Frank Jay Gautschi</b> Judgment affirmed. Hollenhorst, Acting P.J. We concur: Richli, J., Gaut, J.	<b>Opinion</b>

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 19, 1998**

NO MINUTES FOR MARCH 19, 1998.

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 20, 1998**

**E019784            People v. Maurice J. Harrison**

**Opinion**

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Richli, J.



**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 23, 1998**

NO MINUTES FOR MARCH 23, 1998.

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 24, 1998**

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| <b>E019390</b> | <b>Albert G. Knoefler et al. v. City of Riverside</b><br>Judgment affirmed.<br>Gaut, J.<br>We concur: Ramirez, P. J., Richli, J.                   | <b>Opinion</b>                 |
| <b>E019953</b> | <b>People v. Arthur J. Sherman</b><br>No change in judgment.<br>Petition for rehearing denied.<br>Ward, J.<br>We concur: Ramirez, P.J., Richli, J. | <b>Modification of Opinion</b> |
| <b>E019963</b> | <b>People v. Joseph E. Manzanares</b><br>Judgment affirmed.<br>Ward, J.<br>We concur: Ramirez, P.J., Richli, J.                                    | <b>Opinion</b>                 |
| <b>E018143</b> | <b>People v. Jimmy Gonzales</b><br>Judgment affirmed with directions.<br>Gaut, J.<br>We concur: McKinster, Acting P.J., Ward, J.                   | <b>Opinion</b>                 |
| <b>E020638</b> | <b>People v. Jaime H. Blanco</b><br>Judgment affirmed.<br>Ramirez, P.J.<br>We concur: McKinster, J., Ward, J.                                      | <b>Opinion</b>                 |
| <b>E019625</b> | <b>John Johnston v. Richard Newsome</b><br>Judgment affirmed.<br>Richli, Acting P.J.<br>We concur: Ward, J., Gaut, J.                              | <b>Opinion</b>                 |
| <b>E018587</b> | <b>People v. Kim Ray Chaisson</b><br>Judgment affirmed.<br>Hollenhorst, Acting P.J.<br>We concur: Richli, J., Gaut, J.                             | <b>Opinion</b>                 |

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 25, 1998**

<b>E017440</b>	<b>People v. Curtis Garrett</b> Judgment affirmed. Richli, J. We concur: Ramirez, P.J., Ward, J.	<b>Opinion</b>
<b>E020254</b>	<b>People v. Jose G. Perez</b> Judgment affirmed. Gaut, J. We concur: Hollenhorst, Acting P.J., McKinster, J.	<b>Opinion</b>
<b>E019764</b>	<b>People v. Marcel C. Peetom</b> Judgment affirmed in part, reversed in part with directions. Gaut, J. We concur: Hollenhorst, Acting P.J., McKinster, J.	<b>Opinion</b>
<b>E020784</b>	<b>People v. Tommy L. Walters</b> Judgment affirmed. Hollenhorst, J. ,Acting P.J We concur: McKinster, J., Gaut, J.	<b>Opinion</b>
<b>E020692</b>	<b>People v. James Brian Miltimore</b>	<b>Opinion</b>
<b>E020693*</b>	<b>People v. James Brian Miltimore</b> Judgment affirmed. Ramirez, P.J. We concur: McKinster, J., Ward, J. *CONSOLIDATED	
<b>E017563</b>	<b>People v. Hai Le</b> Judgment affirmed. Hollenhorst, Acting P.J. We concur: McKinster, J., Gaut, J.	<b>Opinion</b>
<b>E019779</b>	<b>People v. John J. Parker</b> Judgment affirmed. McKinster, J. We concur: Hollenhorst, Acting P.J., Gaut, J.	<b>Opinion</b>

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 25, 1998 (cont'd)**

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| <b>E021163</b> | <b>People v. Timothy Warren Owens</b>              | <b>Opinion</b> |
|                | Judgment affirmed.                                 |                |
|                | Ramirez, P.J.                                      |                |
|                | We concur: McKinster, J., Ward, J.                 |                |
| <br>           |  |                |
| <b>E020543</b> | <b>People v. Theresa Ann Tokar</b>                 | <b>Opinion</b> |
|                | Judgment affirmed.                                 |                |
|                | Richli, J.   |                |
|                | We concur: Hollenhorst, Acting P.J., McKinster, J. |                |
| <br>           |  |                |
| <b>E020826</b> | <b>People v. Johnny A. Duran</b>                   | <b>Opinion</b> |
|                | Judgment affirmed.                                 |                |
|                | Richli, J.   |                |
|                | We concur: Hollenhorst, Acting P.J., McKinster, J. |                |

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 26, 1998**

<b>E019436</b>	<b>People v. Steven J. Angulo</b> Judgment affirmed. Hollenhorst, Acting P. J. We concur: Richli, J., Gaut, J.	<b>Opinion</b>
<b>E017846</b>	<b>People v. John Kavic</b> Judgment affirmed. Ramirez, P.J. We concur: Richli, J., Ward, J.	<b>Opinion</b>
<b>E015141</b>	<b>John L. Gaut et al. v. Louis Frahm et al.</b> Judgment affirmed. Hollenhorst, Acting P. J. We concur: McKinster, J., Gaut, J.	<b>Opinion</b>
<b>E019821</b>	<b>People v. Lamont W. Harper</b> Judgment affirmed. Ramirez, P.J. We concur: Richli, J., Ward, J.	<b>Opinion</b>
<b>E018691</b>	<b>Patricia J. Simons v. Ralph L. Crabtree</b> Judgment affirmed. Ramirez, P.J. We concur: Richli, J., Ward, J.	<b>Opinion</b>
<b>E020110</b>	<b>People v. Chris A. Puckett</b> Judgment affirmed. Richli, J. We concur: Hollenhorst, Acting P. J., Mc Kinster, J.	<b>Opinion</b>
<b>E021310</b>	<b>In re Laura A., A Person Coming Under the Juvenile Court Law Department of Public Social Services v. Timothy A.</b> Judgment affirmed. Ramirez, P.J. We concur: Richli, J., Gaut, J.	<b>Opinion</b>
<b>E017784</b>	<b>In re the Marriage of Judy A. Colle and Charles F. Colle Judy A. Colle v. Charles F. Colle</b> Judgment affirmed. Ramirez, P.J. We concur: Richli, J., Gaut, J.	<b>Opinion</b>
<b>E019698</b>	<b>People v. Manuel S. Barcelos</b> Judgment affirmed. Ramirez, P.J. We concur: Hollenhorst, J., Ward, J.	<b>Opinion</b>



**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 27, 1998**

<b>E019025</b>	<b>People v. Marion R. Marbley</b> Judgment affirmed. Gaut, J. We concur: Hollenhorst, Acting P.J., Richli, J.	<b>Opinion</b>
<b>E019590</b>	<b>People v. Aaron C. Cochran</b> Judgment affirmed. Hollenhorst, Acting P.J. We concur: McKinster, J., Richli, J.	<b>Opinion</b>
<b>E019513</b>	<b>People v. Francisco Perez Reyes</b> Judgment affirmed. Ramirez, P.J. We concur: Richli, J., Ward, J.	<b>Opinion</b>
<b>E019243</b>	<b>People v. Steve Martines Mitchel</b> Judgment affirmed with directions. Gaut, J. We concur: Hollenhorst, Acting P.J., McKinster, J.	<b>Opinion</b>
<b>E020393</b>	<b>People v. Damound Tyrone Miles</b> Judgment affirmed. Richli, J. We concur: Hollenhorst, Acting P.J., Gaut, J.	<b>Opinion</b>
<b>E020373</b>	<b>People v. Charles Navada Harris</b> Judgment affirmed. Hollenhorst, Acting P.J. We concur: McKinster, J., Richli, J.	<b>Opinion</b>

**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 30, 1998**

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| <b>E018730</b> | <b>People v. Gregory J. Bartole</b>                        | <b>Opinion</b> |
|                | Judgment affirmed.   |                |
|                | Ward, J.   |                |
|                | I concur: McKinster, Acting P.J.,                          |                |
|                | I concur: Gaut, J.   |                |
| <b>E019630</b> | <b>W. Michael Bradshaw v. MCO Properties, Inc., et al.</b> | <b>Opinion</b> |
|                | Judgment affirmed.   |                |
|                | Ward, J.   |                |
|                | We concur: Hollenhorst, Acting P.J., McKinster, J.         |                |
| <b>E019949</b> | <b>People v. James R. Aschenbrener</b>                     | <b>Opinion</b> |
|                | Judgment affirmed with directions.                         |                |
|                | Gaut, J.   |                |
|                | We concur: Hollenhorst, Acting P.J., Richli, J.            |                |



**Court of Appeal  
Fourth District, Division 2  
San Bernardino, California**

**Minutes  
March 31, 1998**

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| <b>E019647</b> | <b>People v. Thomas E. Clark</b>   | <b>Opinion</b> |
|                | Judgment affirmed; sentence reversed in part and remanded.<br>Richli, J.<br>We concur: Hollenhorst, Acting P.J., McKinster, J. |                |
| <b>E018866</b> | <b>People v. Eric Cunningham</b>   | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: Hollenhorst, Acting P.J., Gaut, J.  |                |
| <b>E020562</b> | <b>People v. Sheri Amor Robinson</b>   | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: Hollenhorst, Acting P.J., Gaut, J.  |                |